

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY  
REGULAR MEETING  
MINUTES  
January 23, 2007**

A regular meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Division of Occupations and Professions, Frankfort, KY on January 23, 2007.

**MEMBERS PRESENT**

Roger D. Russell, Chair  
Theresa M. Crisler  
Carmen S. Fowler  
Lisa Bozarth  
Denise M. Logsdon  
Kimberly Stacy

**OCCUPATIONS & PROFESSIONS STAFF**

Dana Hockensmith, Board Administrator  
Claude Wagner, Division Director  
Wendy Satterly

**EXCUSED**

Sharon Wood

**OTHERS PRESENT**

Cheryl Lalonde, Board Attorney  
Gerald Clemons, Board Investigator  
Pam Jenkins, AMTA Lobbyist  
Julie Harper, AMTA, KY  
Katherine Warner, AMTA, KY

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**Call to Order**

Chair, Mr. Russell called the meeting to order at 10:14 A.M.

**Approval of Minutes**

Minutes of the December 11, 2006 meeting were presented for the Board's review. A motion was made by Ms. Crisler to approve the minutes, as amended. Motion seconded by Ms. Logsdon, carried.

**Approval of Financial Statement**

The Board reviewed the financial statement indicating a balance of \$165,641.47 as of December 31, 2006. A motion was made by Ms. Crisler to accept the financial statement. Motion seconded by Ms. Bozarth, carried.

**Director's Report**

Mr. Wagner, Director, reported that Ms. Gossett's investigator contract becomes invalid as of January 31, 2007. The new investigator, Mr. Clemons is now effective and can start investigating complaints.

Mr. Wagner, Director, reported that the new Board Investigator will pick up the cost for travel while the Board will pay for the training cost of \$350 through CLEAR.

Mr. Wagner, Director, stated the Laws and Regulations are now ready for an Administrative Hearing in February.

**Chair Report**

Chair, Mr. Russell allowed the new investigator, Mr. Clemons to give an introduction of himself.

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Chair, Mr. Russell discussed protocol for investigator announcing that investigator, Mr. Clemons can now be assigned cases.

Ms. Bozarth made a motion to utilize investigator, Mr. Clemons on an as needed basis for in house on investigations and to pay his travel expenses when mandated. Motion seconded by Ms. Logsdon, carried.

Ms. Bozarth made a motion to approve funds to obtain a state identification card for investigator, Mr. Clemons. Motion seconded by Ms. Crisler, carried.

Chair, Mr. Russell appointed Ms. Logsdon as a representative of the Board in attendance to the LRC Committee Hearing and Ms. Crisler as the stand by attendee.

### **Complaint Review Committee**

#'s 05-06, 05-07, 05-08: Ms. Bozarth made a motion to accept the committee's recommendation for Ms. Lalonde, Board Attorney to draft Agreed Orders for voluntary surrender of credentials as revoked and if they don't volunteer then a hearing will be scheduled. Motion seconded by Ms. Fowler, carried.

#05-10: Ms. Crisler made a motion to amend the December 11, 2006 minutes to reflect the licensee will respond to cease and desist letter within 10-15 days or the case will be set for a hearing. Motion seconded by Ms. Stacy, carried. Ms. Fowler made a motion to file a formal complaint and notice of administrative hearing for March 26, 2007 at 9:00 a.m. and for delivery of a copy of complaint and notice of hearing delivered to licensee by personal sheriff service. Motion seconded by Ms. Bozarth, carried.

#'s 06-03, 06-04: Ms. Fowler made a motion for the investigator to check for verification that these individuals have followed through with cease and desist of working without a license and if not then a complaint from the court will be sworn out in the individual county where the person(s) reside. Motion seconded by Ms. Bozarth. Board investigator is to file the complaint with the county as a class B misdemeanor.

#06-07: Ms. Fowler made a motion to assign this to investigator for retrieval of address so a cease and desist order may be sent. Motion seconded by Ms. Bozarth, carried.

#06-09: Ms. Bozarth made a motion to send a cease and desist order. Motion seconded by Ms. Stacy, carried.

#06-10: Ms. Logsdon made a motion to send cease and desist orders to any of the list that are unlicensed. Motion seconded by Ms. Bozarth, carried. Ms. Fowler made a motion for Ms. Crisler to contact business and find out last name of other individual and to order a cease and desist if unlicensed. Motion seconded by Ms. Logsdon, carried. A letter will be sent advising the Chiropractic Board of the Board's concerns with a Doctor employing 3 unlicensed MT's. Discussion took place over a language change for future law concerning the aiding and abetting a person who is practicing without a license.

### **Education Committee**

Ms. Crisler made a motion for Ms. Bozarth to draft a letter to send to schools regarding their Massage Training program curriculums with a 30 day deadline for the new application to be received in the office. Motion seconded by Ms. Logsdon, carried.

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Discussed the Good Standing Form and agree that a new form is required when instructional staff changes or information changes, regardless if it involves staff or curriculum. Per Board Attorney, send a new form to all 13 existing schools due to changes in the law, asking that they update if information changes have occurred. No deadline if given on the response.

Ms. Crisler made a motion to approve CEU provider application for Reiki I, II classes. Motion seconded by Ms. Logsdon, carried.

Ms. Logsdon will respond to JF email.

### **Application Review Committee**

Ms. Crisler made a motion to approve 8 new applicants for licensure. Motion seconded by Ms. Logsdon, carried.

### **Old Business**

MOU with Kentucky Higher Education Assistance Authority (KHEAA) is deferred until the February 27, 2007 meeting.

The adhoc committee set a meeting date of February 26, 2007 to review Supervisory Survey responses and to develop recommendations to the Board. Meeting will be held at the Holiday Inn express.

Ms. Crisler made a motion to accept amendments of 201 KAR 42:020 Fees regulation. Motion seconded by Ms. Bozarth, carried.

Ms. Stacy made a motion to accept amendments of 201 KAR 42:035 Application process and curriculum requirements. Motion seconded by Ms. Crisler, carried.

Ms. Fowler made a motion to accept amendments of 201 KAR 42:070 Endorsement. Motion seconded by Ms. Stacy, carried.

Ms. Logsdon made a motion to accept amendments of 201 KAR 42:040 Renewal and Reinstatement procedures. Motion seconded by Ms. Crisler, carried.

### **New Business**

Mileage reimbursement for the period of January 1, 2007 through March 31, 2007 will be .40 cents per mile.

### **Approval of Travel and Per Diem**

Mileage rate has changed to .40 cents a mile. A motion was made by Ms. Logsdon to approve travel and per-diem for eligible members for today's meeting. Motion seconded by Ms. Bozarth, carried.

### **Schedule Next Meeting**

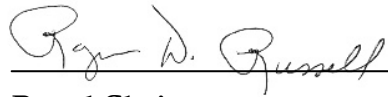
The next meeting is scheduled for March 27, 2007 at the Board office located at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

**Adjournment**

With all business completed, Ms. Crisler made a motion to adjourn the meeting, seconded by Ms. Bozarth, carried. The meeting adjourned at 1:26 P.M.

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**Approved**



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**Board Chair**